

**VIRGINIA:
BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD**

**IN THE MATTER OF
BARRY MAURICE JOHNSON**

VSB DOCKET NO.: 13-000-094370

ORDER OF REVOCATION

THIS MATTER came to be heard on February 15, 2013, before a duly convened panel of the Virginia State Bar Disciplinary Board consisting of Richard J. Colten, Chair Designate, presiding; Esther J. Windmueller, Timothy A. Coyle, Melissa W. Robinson; and Anderson Wade Douthat, IV, Lay Member (collectively, the "Board"). The Virginia State Bar ("Bar") was represented by Prescott L. Prince, Assistant Bar Counsel. The Respondent, Barry Maurice Johnson, did not appear in person or by Counsel. Tracy Stroh, a registered professional court reporter, Chandler & Halasz, P.O. Box 9349, Richmond, Virginia 23227, (804) 730-1222, after duly being sworn, reported the hearing and transcribed the proceedings.

The Chair opened the hearing by calling the case in the hearing room and causing the Assistant Clerk to call Respondent's name three times in the adjacent hall. The Respondent did not reply or appear, nor was he represented by counsel. The Chair then polled the members of the Board as to whether any of them had any personal or financial interest that could affect, or reasonably be perceived to affect, his or her ability to be impartial in this matter. Each Board member, including the Chair Designate, responded that there were no such interests or conflicts.

The matter came before the Board on the Rule to Show Cause and Order of Summary Suspension and Hearing entered on January 17, 2013, with an attached copy of the Order issued prior to that by the Court of Appeals of Maryland approving a negotiated discipline of revocation imposed in that jurisdiction on the Respondent, and the Clerk of the Disciplinary System's January 22, 2013 notice letter to the Respondent served in accordance with the Rules of the Supreme Court of Virginia.

In addition to the required mailing to Respondent's address of record, the Bar sent notices to the Respondent's Address of Record with the Maryland Bar, as well as to Respondent's last known

email address. The Rule to Show Cause, Order of Summary Suspension, Notice, Order entered by the Court of Appeals of Maryland, as well as Joint Petition and Affidavit filed with the Maryland Court of Appeals were received into evidence collectively as VSB Exhibit 1. The Bar letter dated February 7, 2013 to the Disciplinary Board Panel, copying Barry Maurice Johnson at his two known addresses and an email to Mr. Johnson from the Bar confirming date, time and location of the February 15, 2013 hearing were received into evidence collectively as VSB Exhibit 2.

In accordance with Part Six, Section IV, Paragraph 13-24 of the Rules, the purpose of the hearing was to provide the Respondent an opportunity to show cause, by clear and convincing evidence, why the same discipline that was imposed upon him in the Court of Appeals in Maryland should not be imposed by this Board.

The Respondent failed to file a written response to the Board's Rule to Show Cause and Order of Suspension and Hearing in accordance with Paragraph 13-24(B) of the Rules. Accordingly, he was precluded from submitting evidence pursuant to Paragraph 13-24(F). The Respondent was not present and did not present argument. The Board accepted into evidence the Bar's exhibits, and considered the arguments of Bar Counsel.

After due deliberation, the Board found that the Respondent had failed to show cause by clear and convincing evidence why the Board should not impose the same discipline as was imposed in the Court of Appeals in Maryland.

Accordingly, by this Memorandum Order, and in accordance with the Summary Order entered January 17, 2013, it is

ORDERED that the license of Respondent, Barry Maurice Johnson, to practice law in the Commonwealth of Virginia is REVOKED effective February 15, 2013.

In accordance with Paragraph 13-29 of the Rules, it is further ORDERED that Barry Maurice Johnson shall forthwith give notice, by certified mail, of the revocation of his license to practice law in the Commonwealth of Virginia to all clients for whom he is currently handling matters and to all opposing Attorneys and the presiding Judges in pending litigation. The Respondent shall also make

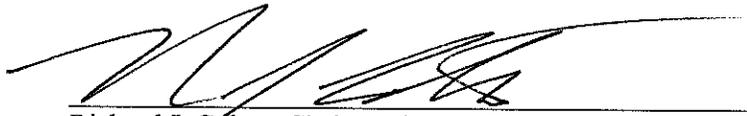
appropriate arrangements for the disposition of matters in his care in conformity with the wishes of his clients. The Respondent shall give such notice within 14 days of the effective date of the revocation order, and make such arrangements as are required herein within 45 days of the effective date of this Order. The Respondent shall also furnish proof to the Bar within 60 days of the effective date of this Order that such notices have been timely given and such arrangements made for the disposition of matters. Issues concerning the adequacy of the notice and arrangements required herein shall be determined by the Disciplinary Board.

It is further ORDERED that pursuant to Part Six, Section IV, Paragraph 13-9(E) of the Rules of the Supreme Court of Virginia, the Clerk of the Disciplinary System shall assess all costs against Respondent.

It is further ORDERED that the Clerk of the Disciplinary System shall send a certified copy of this Order by certified mail to Barry Maurice Johnson at his last address of record with the Virginia State Bar, that being Suite 1000, 1050 Connecticut Avenue, NW, Washington, DC 20036 and also to 3540 Crain Highway, Suite 175, Bowie, MD 20716, and shall hand-deliver a copy to Prescott L. Prince, Assistant Bar Counsel at 707 East Main Street, Suite 1500, Richmond, Virginia 23219.

ENTERED on March 4, 2013

VIRGINIA STATE BAR DISCIPLINARY BOARD


Richard J. Colten, Chair Designate